

D/F

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

ORLIN AND COHEN ORTHOPEDIC ASSOC. LLP

Plaintiff,

06-CV-5822 (ADS)

-v-

1199 SEIU NATIONAL BENEFIT FUND

Defendant.

ORDER REFERRING CASE TO ARBITRATION AND APPOINTING AN ARBITRATOR

The above-referenced case having been designated by the Clerk as eligible for arbitration, is hereby referred to arbitration pursuant to Local Arbitration Rules of the United States District Court, Eastern District of New York. The arbitration hearing will be held at the Long Island Federal Courthouse in Central Islip, New York on: **March 8, 2007 at 10:00 a.m.**

The following arbitrator has been selected at random by the Arbitration Clerk from the list of the United States District Court's Certified Arbitrators:

Arbitrator: **RICHARD EISENBERG, Esq,**
410 OCEAN AVENUE
LYNBROOK, NY 11563
516-599-3286

The attorneys MUST send copies of all pleadings to the arbitrator. All documentary evidence shall be marked in advance and exchanged, except for impeachment documents. Plaintiff's attorney MUST confirm with the arbitrator and the arbitration clerk, at least 48 hours prior to the hearing, that the case will proceed as scheduled on the date set forth in this order.

The arbitrator is authorized to change the time and date of the hearing provided that the new hearing date is scheduled within (30) thirty days of the hearing set forth in this order. Continuances beyond the (30) thirty day period MUST BE APPROVED BY THE COURT.

THE ARBITRATOR MUST NOTIFY ALL PARTIES AND THE ARBITRATION CLERK OF ANY SCHEDULE CHANGES.

No arbitrator may serve in any matter in violation of the standards set forth in section 455, Title 28 of the United States Code. The arbitrator shall promptly disclose in writing to all counsel, any concern that the arbitrator may have that a circumstance covered by subparagraph (a) might exist; i.e., any circumstance in which the arbitrator's impartiality might reasonably be questioned.

Central Islip, New York

Dated: 2/6/07

UNITED STATES DISTRICT JUDGE
ARTHUR D. SPATT